

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 07583 291531Z

53

ACTION IO-13

INFO OCT-01 AF-08 EUR-12 ISO-00 IOE-00 ARA-06 EA-07 NEA-10

DHA-02 L-03 CIAE-00 INR-07 NSAE-00 CPR-01 /070 W

----- 049973

P R 291417Z SEP 76

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 2598

INFO AMEMBASSY BERN

AMEMBASSY BRUSSELS

AMEMBASSY ADDIS ABABA

AMEMBASSY LONDON

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

USMISSION USUN NEW YORK

LIMITED OFFICIAL USE GENEVA 7583

E.O. 11652: N/A

TAGS: PORG, AORG, UN, XG, CA, XA

SUBJECT: PRIVILEGES AND IMMUNITIES ACCORDED BY HOST GOVERNMENTS
TO OBSERVER DELEGATIONS TO INTERNATIONAL ORGANIZATIONS

REF: STATE 224856 (NOTAL)

1. THE FOLLOWING INFORMATION WAS PROVIDED BY THE
SWISS MISSION IN GENEVA ON SEPTEMBER 28 IN RESPONSE
TO REFERENCE REQUEST:

A. THE MOST IMPORTANT FACTOR REGARDING THE PRIVILEGES
AND IMMUNITIES (P&I) EXTENDED TO OBSERVER MISSIONS IN
GENEVA, INCLUDING NON-MEMBER STATES OF THE UNITED
NATIONS (I.E., NORTH AND SOUTH KOREA) AND ORGANIZATIONS
OF STATES (I.E., ORGANIZATION OF AFRICAN UNITY AND
LEAGUE OF ARAB STATES), IS THAT THESE P&I ARE TOTALLY
IDENTICAL TO THE P&I EXTENDED TO MEMBER STATES OF THE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 07583 291531Z

UNITED NATIONS WHICH MAINTAIN MISSIONS IN GENEVA.

THE SWISS GOVERNMENT MAKES NO DISTINCTION BETWEEN MEMBER AND NON-MEMBER STATES OR BETWEEN MEMBER STATES AND ORGANIZATIONS OF STATES IN THE GRANTING OF P&I. AS AN EXAMPLE, THE CHARGE OF THE SWISS MISSION NOTED THAT WHEN THE FEDERAL REPUBLIC OF GERMANY CHANGED ITS STATUS IN GENEVA FROM OBSERVER MISSION OF A NON-MEMBER STATE TO PERMANENT MISSION, THERE WAS ABSOLUTELY NO NEED TO ALTER THE P&I THAT WERE IN EFFECT UNDER ITS FORMER STATUS.

B. THE LEGAL BASIS FOR THE ABOVE STATUS IS A DECISION OF THE SWISS FEDERAL COUNCIL OF MARCH 31, 1948 IN THE CASE OF ACCORDING P&I TO NON-MEMBER STATES, AND A UNITED NATIONS GENERAL ASSEMBLY RESOLUTION OF JULY 14, 1964 IN THE CASE OF ORGANIZATIONS OF STATES. THE SWISS GOVERNMENT ALSO HAS BILATERAL AGREEMENTS WITH EACH OF THE INTERNATIONAL ORGANIZATIONS IN GENEVA. THESE BILATERAL AGREEMENTS REFLECT THE ABOVE FEDERAL COUNCIL DECISION AND GENERAL ASSEMBLY RESOLUTION, AND RECOGNIZE P&I CONSISTENT WITH THE ABOVE.

C. THE P&I ACCORDED TO EACH OF THE THREE CATEGORIES OF PERSONNEL (PERMANENT REPRESENTATIVE, DIPLOMATIC STAFF, NON-DIPLOMATIC STAFF) AND THE MISSION FACILITY ITSELF FOR BOTH NON-MEMBER STATES AND ORGANIZATIONS OF STATES ARE IDENTICAL IN EVERY RESPECT TO THOSE P&I ACCORDED MEMBER STATES.

D. THE SPECIFICS OF WHAT P&I ARE AVAILABLE TO NON-MEMBER STATES AND ORGANIZATIONS OF STATES ARE ALREADY AVAILABLE TO THE DEPARTMENT. THESE P&I ARE IDENTICAL WITH THE P&I ACCORDED TO THE US MISSION IN GENEVA. THE SWISS CHARGE ALSO NOTED THAT THE ONLY DIFFERENCE BETWEEN THE P&I ACCORDED PERMANENT MISSIONS IN GENEVA AND DIPLOMATIC MISSIONS IN BERN CONCERNED THE STATUS OF ADMINISTRATIVE AND TECHNICAL PERSONNEL. THE SWISS ARE PLANNING TO BRING THE STATUS OF ADMINISTRATIVE AND TECHNICAL PERSONNEL ASSIGNED TO GENEVA MISSIONS INTO LINE WITH THE STATUS OF TECHNICAL AND ADMINISTRATIVE PERSONNEL IN BERN, CONSISTENT WITH THE VIENNA CONVENTION LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 07583 291531Z

OF 1961.

E. THE FINAL CATEGORY OF "OTHER ORGANIZATIONS," OR SPECIFICALLY THE PALESTINE LIBERATION ORGANIZATION (PLO), WAS CONSIDERED PARTICULARLY SENSITIVE AT THE SWISS MISSION. THE PLO ENJOYS NEITHER PRIVILEGES NOR IMMUNITIES ACCORDING TO THE SWISS CHARGE. THE SWISS GOVERNMENT ACCORDS "FACILITIES" BY WHICH THE PLO MIGHT FUNCTION

IN GENEVA. THE LEGAL BASIS IS A DECISION OF THE SWISS
FEDERAL COUNCIL. IN RESPONSE TO A REQUEST FOR A COPY
OF THIS DECISION, THE CHARGE OFFERED TO CHECK WITH BERN
TO DETERMINE IF A COPY MIGHT BE MADE AVAILABLE TO
THE USMISSION. CATTO

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PRIVILEGES, MEETING OBSERVERS, INTERNATIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976GENEVA07583
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760367-0910
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976099/aaaaagwv.tel
Line Count: 120
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 224856
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2004 by BoyleJA>; APPROVED <29 JUL 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PRIVILEGES AND IMMUNITIES ACCORDED BY HOST GOVERNMENTS TO OBSERVER DELEGATIONS TO INTERNATIONAL ORGANIZATIONS
TAGS: PORG, AORG, XG, CA, XA, UN
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006